

# **Child Care and Development Block Grant (CCDBG) Reauthorization: Proposed Changes to Child Care Regulations March 2016**



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# Presenters

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# Presentation Overview

- I. Reauthorization of CCDBG and the Child Care and Development Fund (CCDF)**
- II. Key Health and Safety Standards**
- III. Necessary Changes to Regulations**
- IV. Next Steps: Process & Timeline**
- V. Wrap-Up**

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# Reauthorization

- In November of 2014 Congress passed the [Child Care and Development Block Grant](#) (CCDBG) Act of 2014. It was signed into law on November 19, 2014.
- Reauthorization is the first significant change to CCDBG since 1996.
- Reauthorization was a historic re-envisioning of the Child Care and Development Fund(CCDF) program.



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# Key Provisions of CCDF

- **Protect the health and safety of children in child care.**
- **Help parents make informed consumer choices and access information to support child development.**
- **Provide equal access to stable, high quality child care for low-income children.**
- **Enhance the quality of child care and the early childhood workforce.**

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# CCDF in Kansas

- **The Department for Children and Families(DCF) is the Lead Agency for administration of the CCDF.**
- **The Kansas Department for Health and Environment (KDHE) regulates the provision of child care for the protection of the health, safety and welfare of children.**

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# To Learn More

[Home | Office of Child Care | Administration for Children and Families](#)

[Department for Children and Families Child Care and Early Education - Economic & Employment Services](#)

[Kansas Department of Health and Environment: Child Care Licensing](#)

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# Child Care Licensing (CCL)

## Provisions to Protect the Health and Safety of Children in Child Care

- Health and Safety Requirements
- Inspection & Monitoring Strategies
- Licensing Staff
- Consumer Education and Transparency of the Inspection Process

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# Implementing CCDF



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# Protect the Health and Safety of Children in Child Care

- **Health and Safety Regulations**
- **Training Requirements**
- **Emergency Preparedness and Response**
- **Criminal Background Checks**

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# Health and Safety Regulations

Health & Safety Regulations	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Prevention & control of infectious diseases (including immunizations)	✓	✓	✓
SIDS & use of safe sleep practices	✓	✓	
Administration of medication*		✓	✓

\* Amendment to regulation needed

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# Health and Safety Regulations

Health & Safety Regulations	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Handling/storage of hazardous materials & disposal of bio-contaminants	✓	✓	✓
Emergency preparedness & disaster response planning*	✓	✓	✓
Building & physical premises safety	✓	✓	✓

\* Amendment to regulation needed

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# Health and Safety Regulations

Health & Safety Regulations	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Prevention of and response to food allergies	✓	✓	✓
Group size & ratios	✓	✓	✓
Provider qualifications	✓	✓	✓

\* Amendment to regulation needed

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# Health and Safety Training

Orientation/ Pre-service and Ongoing Training	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Child abuse & neglect including prevention of abusive head trauma	✓	✓	✓
Basic Child Development	✓	✓	
Safe sleep practices and SIDS	✓	✓	
Prevention & control of infectious diseases: immunizations*			

\* Amendment to regulation needed

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# Health and Safety Training

Orientation/ Pre-service and Ongoing Training	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Prevention of & response to emergencies due to food & allergic reactions*			
Building & physical premises safety, including identification & protections from hazards*			
Emergency preparedness & response planning*			

\* Amendment to regulation needed

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# Health and Safety Training

Orientation/ Pre-service and Ongoing Training	Day Care Homes & Group Day Care Homes	Centers & Preschools	School Age Programs
Handling & storage of hazardous materials & disposal of bio-contaminants*			
Precautions when transporting children*			
Pediatric First Aid & CPR	✓	✓	✓
Medication Administration*			✓

\* Amendment to regulation needed

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# Emergency Preparedness & Response

**Providers have in place procedures for the following:**

- Evacuation**
- Relocation**
- Shelter-in-place**
- Staff preparedness training and practice drills**
- Continuity of operations**
- Accommodation of infant & toddlers, children with disabilities and children with chronic medical needs**

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# Criminal Background Checks: Current Process in Kansas

CCL 002  
Rev. 8/2015

Kansas Department of Health and Environment  
Bureau of Family Health  
1000 SW Jackson, Suite 200  
Topeka, KS 66612-1174  
Child Care Program: (785) 296-1270 Fax: (785) 296-0803  
Website: www.kdhs.ks.gov/kidsnet

**REQUEST FOR KIBIDCF CHILD ABUSE REGISTRY CHECK FOR CHILD CARE FACILITIES**

Directions: COMPLETE BOTH SIDES OF THIS FORM. All blank spaces must be completed; however, social security number is optional. Incomplete forms will be returned. If a person does not have a Maiden or other name, write N/A. DO NOT include children or youth for whom you provide services. K.A.R. 28-4-125(c) requires the facility to keep a copy of the completed form on file.

Type of Facility: ☐ Licensed Day Care Home ☐ Group Day Care Home ☐ Child Care Center ☐ Preschool ☐ Head Start Center ☐ School Age Program  
☐ Drop In Program ☐ Child Care Resource & Referral Agency

Name of Facility exactly AS STATED ON THE LICENSE	License #	Date (MM/DD/YYYY)
Street Address of Facility	City	Zip Code
First and Last Name of the Individual Completing This Form	Phone Number	E-mail address

I. This request for background check is being completed to meet the requirements (CHECK ONLY ONE of the THREE OPTIONS BELOW):  
☐ Initial Application (New Facility, Move, Program Change, or Change of Ownership)  
☐ Renewal Application  
☐ Adding a New person(s) living, working or volunteering in the facility. The information provided on this form is to include only the identifying information for new individual(s).

II. Check Yes or No for each question below with regard to the persons listed on this form. If yes, complete all the information in this section for the person.  
 The information provided on this form is to include: yourself; all other persons 10 years of age and older living in the facility and all persons working and/or volunteering in the facility; all substitutes and other caregivers and staff including relief and support staff.

Yes	No	Name of Person	Date	Court of Action County and State
<input type="checkbox"/>	<input type="checkbox"/>	Had a misdemeanor or felony conviction of a crime against persons, a sexual offense or crimes affecting family relationships and children?		
<input type="checkbox"/>	<input type="checkbox"/>	Had a felony conviction under the uniform controlled substances act?		
<input type="checkbox"/>	<input type="checkbox"/>	Been adjudicated (found or determined in a court of law to be) a juvenile offender, delinquent, or miscreant?		
<input type="checkbox"/>	<input type="checkbox"/>	Committed physical, mental or emotional abuse or neglect or sexual abuse as validated by DCF?		
<input type="checkbox"/>	<input type="checkbox"/>	Had a child declared in a court order to be deprived or in need of care based on allegation of physical, mental or emotional abuse or neglect or sexual abuse?		
<input type="checkbox"/>	<input type="checkbox"/>	Had parental rights terminated?		
<input type="checkbox"/>	<input type="checkbox"/>	Signed a diversion agreement involving child abuse or a sexual offense?		
<input type="checkbox"/>	<input type="checkbox"/>	Been found to be a disabled person in need of a guardian or conservator or both?		

## Name-based searches:

- Kansas adult criminal and juvenile records
- Kansas Child Abuse and Neglect Registry

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# CCDF Comprehensive Background Checks

- A search of the state sex offender registry and of the registry of any other state the individual has resided in during the past 5 years;
- A search of the state child abuse and neglect registry and of the registry of any other state the individual has resided in during the past 5 years;
- A search of the National Crime Information Center's Sex Offender Registry; and
- A FBI fingerprint check using Integrated Automated Fingerprint Identification System.

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# The Plan

**KDHE plans to do the following to implement health and safety requirements of CCDF:**

- **By September 2016 amend select health and safety regulations.**
- **Work with statewide training providers to ensure required training is readily available.**
- **By September 2017 implement comprehensive background checks.**

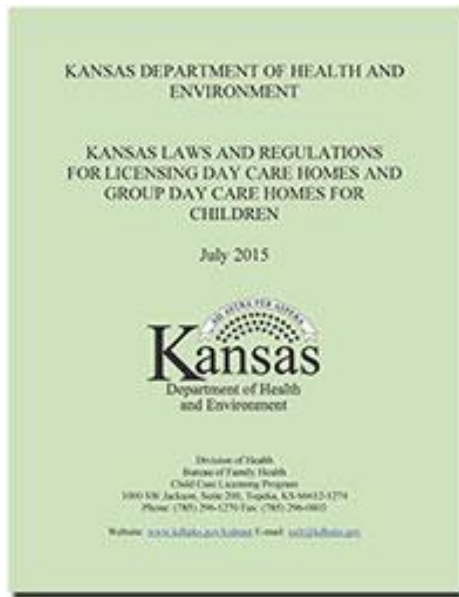
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# The Plan

## Licensed Day Care Homes and Group Day Care Homes



- Amend K.A.R. 28-4-114a pertaining to initial and on-going training.
- Amend K.A.R. 28-4-118 pertaining to medication administration and reporting child abuse & neglect.

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# K.A.R. 28-4-114a Initial & Ongoing Training – Proposed Amendments

## K.A.R. 28-4-114a(b)

- **Expand the subject areas in the existing health and safety section (currently Child Abuse & Neglect, Safe Sleep and Child Development) for applicants and new providers working in the facility.**
- **Existing licensees & providers(prior to the effective date of the regulation) would not have to complete the additional training topics.**

# K.A.R. 28-4-114a Initial & Ongoing Training – Proposed Amendments

## **New Initial Training Topics:**

- **Prevention and control of infectious diseases, including immunizations**
- **Prevention of and response to emergencies due to food and allergic reactions**
- **Building and physical premises safety, including identification and protection of hazards that may cause bodily injury**
- **Emergency preparedness & response planning**
- **Handling and storage of hazardous materials & disposal of bio-contaminants**
- **Precautions when transporting children**

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# K.A.R. 28-4-114a Initial & Ongoing Training – Proposed Amendments

## K.A.R. 28-4-114a(d)

**Remove the current additional initial professional development requirements for applicants and primary care providers (one of the following options):**

- **CDA**
- **3 months previous employment in a licensed facility**
- **At least 15 clocks of professional development training**
- **Program director approval in a licensed center**

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# K.A.R. 28-4-114a Initial & Ongoing Training – Proposed Amendments

## K.A.R. 28-4-114a

**Require medication administration training for applicants, licensees and providers designated to administer prescription or nonprescription medication to children in care.**

- **Training will be required before administering medication.**
- **Existing licensees and providers designated to give medication will be given time to obtain the training.**

# K.A.R. 28-4-114a Initial & Ongoing Training – Proposed Amendments

## K.A.R. 28-4-114a(e)

- 16 clock hours of professional development training annually for licensees and primary care providers.
- 4 clock hours of professional development training for providers that are not a primary care provider.

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# K.A.R. 28-4-118 Illness & Reporting Child Abuse – Proposed Amendments

- Update the language pertaining to medication administration (nonprescription & prescription), obtaining parental permission, and record keeping.
- Update the language pertaining to reporting suspected child abuse and neglect.

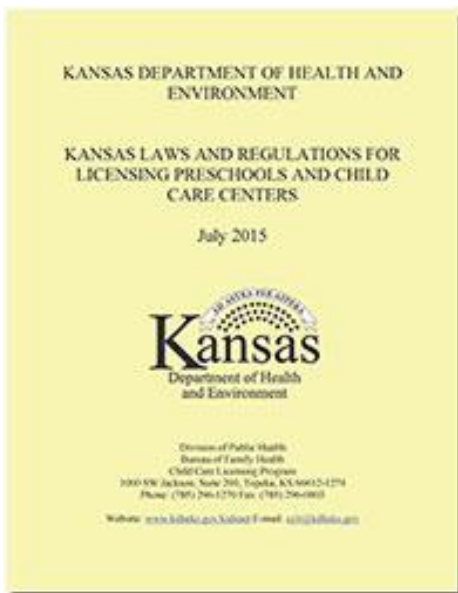
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# The Plan

## Preschools and Child Care Centers



- **Amend K.A.R. 28-4-428 pertaining to staff requirements.**
- **Amend K.A.R. 28-4-428a pertaining to education and training requirements.**

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# K.A.R. 28-4-428 Staff Requirements – Proposed Amendments

## K.A.R. 28-4-428

- Update throughout to comply with current regulation writing style and formatting requirements.
- K.A.R. 28-4-428(e) Remove the paragraph pertaining to staff training as it is covered in K.A.R. 28-4-428a
- K.A.R. 28-4-428(g) Eliminate the requirement for a program director annual report.

# **K.A.R. 28-4-428 Staff Requirements – Proposed Amendments**

## **K.A.R. 28-4-428a(b)**

- **Expand the subject areas in the existing health and safety section (currently Child Abuse & Neglect, Safe Sleep and Child Development) for applicants and new providers working in the facility.**
- **Existing licensees & staff (prior to the effective date of the regulation) would not have to complete the additional training topics.**

# K.A.R. 28-4-428a Education & Training – Proposed Admendments

## **New Initial Training Topics:**

- **Prevention and control of infectious diseases, including immunizations**
- **Prevention of and response to emergencies due to food and allergic reactions**
- **Building and physical premises safety, including identification and protection of hazards that may cause bodily injury**
- **Emergency preparedness & response planning**
- **Handling and storage of hazardous materials & disposal of bio-contaminants**
- **Precautions when transporting children**

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# **K.A.R. 28-4-428 Staff Requirements – Proposed Amendments**

## **K.A.R. 28-4-428a**

**Require medication administration training for applicants, program directors and staff members designated to administer prescription or nonprescription medication to children in care.**

- Training will be required before administering medication.**
- Existing program directors and staff members designated to give medication will be given time to obtain the training.**



# **K.A.R. 28-4-428 Staff Requirements – Proposed Amendments**

## **K.A.R. 28-4-428a**

- 24 clock-hours of in-service training annually for program directors.**
- 16 clock-hours of in-service training annually for staff counted in the staff-child ratios (note: same number of hours as proposed for licensed day care home/group day care home).**

# The Plan

**Make changes to the General Regulations K.A.R. 28-4-122 through K.A.R. 28-4-132.**

- **These regulations apply to multiple programs including preschools, centers and homes.**
- **Update throughout to comply with current regulation writing style and formatting requirements.**

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# General Regulations – Proposed Amendments

**K.A.R. 28-4-125 amend background check requirements to include applicant & licensee requirements/procedures for submitting background check requests.**

**K.A.R. 28-4-128 amend safety procedure requirements to include components of emergency preparedness and response planning.**

**K.A.R. 28-4-130 amend transportation requirements to align more closely with current Kansas transportation & passenger safety laws.**

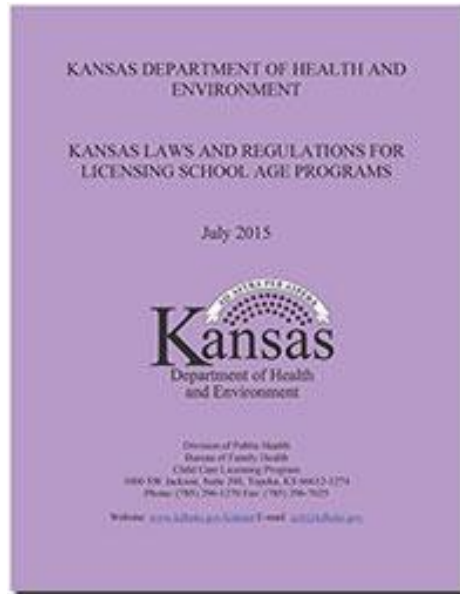
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# The Plan

## School Age Programs



- Amend K.A.R. 28-4-584 pertaining to background checks.
- Amend K.A.R. 28-4-587 pertaining to professional development.
- Amend K.A.R. 28-4-592 pertaining to safety & emergency procedures.

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# Be Part of the Process

## Your Opinion Matters

- Watch for the Notice of Hearing [Kansas Secretary of State - Kansas Register](#) (summer 2016)
- A copy of the Notice of Hearing and a copy of the proposed amendments to the regulation will be available at [Kansas Department of Health and Environment: Child Care](#)

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# Be Part of the Process

## Your Opinion Matters

- **The Notice of Hearing signals the start of the public comment period.**
- **The comment periods ends with the public hearing.**
- **Do not need to be present at the hearing to comment.**
- **Written comments accepted.**

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# **Your Opinion Matters!**

## **Action Plan**

- **Watch for the Notice of Hearing**
- **Review the proposed amended regulations**
- **Comment**
  - **What you like**
  - **What you would like changed**
    - **Be specific**
    - **Provide an alternative**

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# Additional Information

## Kansas Department of Health and Environment: Child Care

- Information about proposed regulations
- Information about current initiatives
- Apply or renew a license
- Facility inspection results
- Copies of current regulations & forms
- Local county contacts
- Provider & Parent Resources
- Newsletter
- Emergency Preparedness Planning Resources & Guides

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# Questions



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**[www.kdheks.gov](http://www.kdheks.gov)**

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